



STATE OF MARYLAND

**DHMH**

Maryland Department of Health and Mental Hygiene

*Board Of Physical Therapy Examiners*

## **BOARD MEETING MINUTES** **November 16, 2010**

The November 16, 2010 meeting was called to order at 1:00 p.m.  
by the Chairperson, Shirley Leeper, PTA.

Call to Order

### **Board members present:**

John Baker, PT  
Lori Mizell, PT  
Donald Novak, PT  
Krystal Lighty, PT  
Ved K. Gupta, Consumer Member  
Lois Rosedom-Boyd, Consumer Member

### **Also present:**

Ann E. Tyminski, Executive Director  
Joy E. Aaron, Deputy Director  
Patricia Miller, Licensing Coordinator  
Deborah Jackson, Secretary  
Ernest Bures, Investigator/Compliance Officer  
John Bull, Investigator  
Linda Bethman, AAG, Board Counsel  
Francesca Gibbs, Staff Attorney

### **Also present:**

#### **Students of CCCC**

Sharon Reid, PT,  
Program Director  
Pasaporn Allred  
Teresa Bankard  
Leslie Bascom  
Lindsey Christensen  
Stephen Conner  
Erica Danton

Nathan Henderson  
Ljubica Jusufbegovic  
Amy Libdan  
Heather Mai  
Brooke Martinez  
Courtney Minard  
Kyra Neff  
Megan Norfolk  
Rachele Renfrew

Adeena Ribiat  
Ben Ridlon  
Amanda Schwartz  
Stacy Slessinger  
Ryan Traeger

Rachel Jones-PT student  
Dennis Light-Global  
Healthcare Resources

### **Absent**

Sandra Kurland, Office Secretary III

Ms. Leeper welcomed the Carroll County Community College PTA students.

Welcome to CCCC PTA students

The minutes of the September 21, 2010 meeting were accepted.

Minutes

Kaiser Permanente's response to an inquiry that RN's are supervising PTs was reviewed. Although there are administrators within the service line, supervision of physical therapists is provided by senior PTs.

Kaiser Permanente

The board reviewed an e-mail inquiry from Catherine Matthews as to whether a daily flow chart with a weekly note addressing achievement of goals could be used for documentation. The Board's response was a daily flow chart is acceptable provided all elements of documentation required by the standards of documentation are present in the flow chart.

Inquiry from Catherine Matthews

The Board directed Mrs. Tyminski to check with the Pharmacy Board as to whether or not PTs are allowed to compound ultrasound gel with dexamethasone for phonophoreses. The Pharmacy board has previously indicated that it is acceptable for physical therapists to store prescription medications for patients so long as the medication remains patient specific.

Inquiry from Debbie Goldstein

Inquiry from Jamey Schrier inquiring as to whether a PTA may make orthotics was reviewed. The response is that if the PTA is competent to make orthotics, they may do so. However, the physical therapist shall assess the patient for the need for orthotics, write specifics for the orthotics and check the fit for the patient once the orthotics are completed.

Inquiry from Jamey Schrier

The Board responded to the inquiry from the MD State Steering Committee for Occupational and PT School based Programs regarding a meeting for the purpose of changing certain COMAR regulations to better conform to school practice. The Board requested specific questions in writing and directed the Committee be informed that regulations are written for all practice settings.

Request from School-Based Program about changing regulations

The FSBPT is now offering testing for the four restricted groups of foreign educated students twice yearly. The dates designated are reserved only for these student, to try to accommodate for high volume at the Prometric Testing Centers.

FSBPT-NPTE-1

The Board reviewed the e-mail from Linda Bethman written by Andrew Grant outlining the American Association of International Recruiters position on the FSBPT's decision

E-mail from Linda Bethman to W. Andrew Grant

regarding graduates of PT programs in Egypt, India, Pakistan and the Philippines.

**The Board also recognized**

Dennis Light from Global Healthcare Resources who presented the Board with the position of the foreign educated healthcare recruiters regarding this decision. He was present to represent the American Association of International Recruiters. One of his points was that this was discriminating against a whole group of healthcare providers who are sorely needed in the U.S. especially in rural areas. Mr. Light expressed his opinion that the FSBPTs "Separate but Equal" is wrong and discriminatory. He also stated that they have not been provided with any of the statistical data that was requested.

Representative from  
Latham & Watkins  
regarding FSBPT ruling

The Board will review the material he presented and discuss it at the December 21 meeting.

**Continuing Education:**

The course: "Abuse and Neglect of the Elderly" was denied because it did not seem to be geared towards physical therapists. Vote 4-3

The course: "Starting & Running a Pediatric Private Practice" was approved by the Board for administrative hours only. Vote 5-2

The course: "SNF PBS Update FY2011" was denied by the Board as the objectives were not geared towards PTs. Vote unanimous

The course: "Why We Worry: Understanding and Treating Anxiety Disorders" was not supported by the agenda as being physical therapy and therefore the Board denied the course.

The course: "Work Strategies Program Symposium" was accepted by the Board for administrative hours only.

The course: "Nineteenth Annual Breast Cancer Conference" was denied by the Board because it seemed to be geared towards MDs not PTs.

The course: "Program Manager Leadership Development" was denied by the Board as an approved CEU course, because it did not appear to be clinically or administratively related to physical therapy.

**Continuing Education:**

Abuse and Neglect of  
the Elderly

Starting & Running a  
Pediatric Private  
Practice

SNF PBS Update  
FY2011

Why We Worry:  
Understanding and  
Treating Anxiety  
Disorders

Work Strategies  
Program Symposium

Nineteenth Annual  
Breast Cancer  
Conference

Program Manager  
Leadership Development

The course: "Therapeutic Application of Ivengar Uoga to Hip and Knee Pain" was denied by the Board as an approved CEU course because their website material clearly shows this is not physical therapy.

Therapeutic Application of Ivengar Uoga to Hip and Knee Pain

The course: "Suspected Apraxia and Early Intervention" was denied by the Board as an approved CEU course because it is geared to speech therapy. Vote: 5-2

Suspected Apraxia and Early Intervention

The course: "Parkinson's Disease: MDS 3.0" was denied by the Board because the course objectives had nothing to do with treating Parkinson's disease.

Parkinson's Disease: MDS 3.0

The course: "Women's Health Update: Breast Health, Hormones & Osteoporosis" was denied unanimously because it did not pertain to physical therapy practice.

Women's Health Update: Breast Health, Hormones & Osteoporosis

The course: "Older Adult Fitness Specialist" was denied because it was not geared toward the target audience listed, it was geared more toward personal trainers than the listed target audience.

Older Adult Fitness Specialist

The course: "Comprehensive Mental Health Assessment & Evaluation of Older Adults" was denied because it was geared more to psychology than physical therapy.

Comprehensive Mental Health Assessment & Evaluation of Older Adults

The course: "Approved Level 1 Equine Skills and Treatment Principles Course" was denied because the target audience did not include physical therapists. It was more about horses than hippotherapy.

Equine Skills & Treatment Principles Course

The course: QiGong Therapy: was denied because it was determined to not be related to the practice of physical therapy.

QiGong Therapy

The course: "Healthy Step Instructor Certification" was denied because it was not relevant to the practice of physical therapy.

Healthy Step Instructor

Ms. Mizell discussed the possibility of turning the review of continuing education courses over to an outside group. Ms. Aaron presented the significant loss of revenue in this event. She offered an alternative solution that staff consisting of herself and Mrs. Tyminski review the courses on a trial basis. Any questionable courses would be sent out to the Continuing Education Committee for their input. The Board agreed to this solution. Ms. Bethman advised that moving the review to an outside entity would require a statute change.

Review of Continuing Education

Mr. Baker questioned the course guidelines for course sponsors that is present on the Board's website. He felt the guidelines need to be reviewed for clarity. Ms. Leeper suggests

Course Guidelines on Website

that #6 be removed from the website because pre-test and post-test requirements are no longer required in the CEU regulations.

Ann Tyminski submitted a complaint against GSC a provider of continuing education on-line courses. The Board suggested that the complainant contact the company about her concerns with the course.

Complaint against GSC

Mrs. Tyminski submitted an e-mail from Kirstin Pipes, about adding home evaluation to the list of services provided by PTAs in the SNF environment. The Board directed a response be clear that PTAs cannot assess home environments.

E-mail from Kirstin Pipes on home evaluations

The invitation for Board members to become certified in reviewing continuing education was discussed. Dr. Baker and Ms. Mizell both expressed interest and will contact FSBPT.

Certification of Board members for CEU reviews

**Reports:****Reports:**

Dr. Novak at the request of the Board has researched rehabilitative ultrasound. He reported that rehabilitative ultrasound is presently being used in research and experimentally. The Board concluded that until it is taught in schools, appears on the examination and is used widely, it cannot be considered to be within the scope of practice.

Rehabilitative ultrasound

The Board reviewed the reports from Lori Mizell and Ann Tyminski about attending the FSBPT annual meeting. Lori commented that she thought that the conference was very educational and that they had presented evidence based details regarding the new FSBPT ruling regarding the NPTE.

FSBPT Conference

The Board decided to appoint a Task Force, consisting of Lori Mizell, John Baker and Krystal Lighty for the purpose of studying the feasibility of moving from continuing education requirements to continuing competency requirements for renewal of licenses.

Task Force

Ms. Leeper presented her report of the APTA of Maryland Fall Meeting for Board review.

Report of APTA Fall Meeting

**Informational:**

The 2011 Board meeting dates were distributed.

The West Virginia PT Board Newsletter was presented as information.

**Informational:**

Board Meeting dates  
WV Board Newsletter

**Applications for Licensure:****Applications:**

The review of Andrew Block's, PT application was moved to Closed Session.

Andrew Block

The review of Amanda S. Linn's, PT application was moved to Closed Session. Amanda Linn

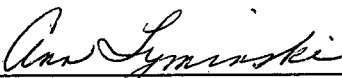
The review of Amanda E. Eller's, PT application was moved to Closed Session. Amanda Eller

The review of Magaly E. Figueroa's, PT application was moved to Closed Session. Magaly Figueroa

The review of David J. Hartwig's, PT application was moved to Closed Session. David Hartwig

The Board unanimously voted to close the open session at 4:30 p.m. for the purpose of engaging in medical review committee deliberations of physical therapist applications in accordance with State Government Article S10-50 8(a) (13) and to then moved into Administrative Session to discuss disciplinary cases.

Respectfully submitted,

  
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Ann Tyminski, Executive Director

December 21, 2010  
Date approved

  
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Shirley Leeper PTA, Chairperson

Deborah Jackson, Office Secretary  
11/17/10